

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference R-16	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP 03 / 13523	International filing date (day/month/year) 23.10.2003	Priority date (day/month/year) 30.10.2002
International Patent Classification (IPC) or national classification and IPC Int.Cl. B21D 53/04, B21D 53/08		
Applicant SHOWA DENKO K.K.		

1.	This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2.	This REPORT consists of a total of <u>3</u> sheets, including this cover sheet.
3.	<p>This report is also accompanied by ANNEXES, comprising:</p> <p>a. <input type="checkbox"/> a total of _____ sheets, as follows:</p> <div style="margin-left: 20px;"> <input type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis of this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. </div> <p>b. <input type="checkbox"/> a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).</p>
4.	<p>This report contains indications relating to the following items:</p> <div style="margin-left: 20px;"> <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application </div>

Date of submission of the demand 01.03.2004	Date of completion of this report 26.11.2004
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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

International application No.

PCT/JP 03 / 13523

Box No. I Basis of the report

1. With regard to the language, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.

- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (under Rules 12.3 and 23.1(b))
 - ☐ publication of the international application (under Rule 12.4)
 - ☐ international preliminary examination (under Rules 55.2 and/or 55.3)

2. With regard to the elements of the international application, this report is based on (*replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report*):

- ☒ the international application as originally filed/furnished
- ☐ the description:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the claims:
- pages _____ as originally filed/furnished
- pages* _____ as amended (together with any statement) under Article 19
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ the drawings:
- pages _____ as originally filed/furnished
- pages* _____ received by this Authority on _____
- pages* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) - see Supplemental Box Relating to Sequence Listing.

3. ☐ The amendments have resulted in the cancellation of:

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

- ☐ the description, pages _____
- ☐ the claims, Nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (specify): _____
- ☐ any table(s) related to sequence listing (specify): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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International application No.

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Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Claims	<u>15-24, 26-28</u>	YES
	Claims	<u>1-14, 25</u>	NO
Inventive step (IS)	Claims	<u>15-24</u>	YES
	Claims	<u>1-14, 25-28</u>	NO
Industrial applicability (IA)	Claims	<u>1-28</u>	YES
	Claims		NO

2. Citations and explanations (Rule 70.7)

Document JP 5-177286 A which was cited in the ISR discloses a semifinished flat tube comprising a pair of flat walls opposed to each other, and two side walls interconnecting the flat walls at opposite side edges thereof for use in producing a flat tube, a flat tube comprising a semifinished flat tube and a heat exchanger comprising a pair of headers .

Document EP 704667 A2 which was cited in the ISR discloses a heat exchanger and a process for fabricating a heat exchanger.

Document JP 10-132479 A which was cited in the ISR discloses a vehicle comprising a refrigeration cycle having a compressor, a condenser and an evaporator.

Claims 1-14 and 25 lack novelty under PCT Article 33(2) because the claimed subject matters are anticipated by the reference to JP 5-177286 A.

Claim 26 lacks inventive step under PCT Article 33(3) because the claimed matters are taught by the reference to JP 5-177286 A and EP 704667 A2.

Claim 27 lacks inventive step under PCT Article 33(3) because the claimed matters are taught by the reference to JP 5-177286 A and EP 704667 A2.

Claim 28 lacks inventive step under PCT Article 33(3) because the claimed matters are taught by the reference to JP 5-177286 A, EP 704667 A2 and JP 10-132479 A.